

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

UBS FINANCIAL SERVICES, INC.; )  
UBS SECURITIES, LLC; UBS AG; and, )  
UBS GROUP AG, )

Plaintiffs, )

v. )

ROBERT ZIMMERMAN, )

Defendant. )

**JUDGMENT**

No. 5:16-CV-155-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of plaintiff's motion to dismiss defendant's counterclaims, plaintiffs' motion for permanent injunction, plaintiffs' motion for pre-filing injunction, and defendant's motion to dismiss.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's orders entered December 1, 2016 and July 11, 2017, and for the reasons set forth more specifically therein, that plaintiff's motion to dismiss defendant's first amended counterclaim for failure to state a claim upon which relief can be granted is granted. Plaintiffs' motion for permanent injunction is granted. Defendant is permanently enjoined proceeding against UBS Financial Services, Inc., UBS Securities, LLC, UBS AG and/or UBS Group AG, in FINRA arbitration number 15-03460, Bob Zimmerman v. UBS Financial Services, Inc. and Charles Schwab & Company. Defendant is likewise enjoined from initiating any new FINRA arbitration action against UBS Financial Services, Inc., UBS Securities, LLC, UBS AG and/or UBS Group AG, as related to his purchase of the electronically traded note, "Monthly Pay 2xLeveraged Exchange Traded Access Security." Plaintiffs' motion for pre-filing injunction is denied as moot. Defendant's motion to dismiss is also denied.

**This Judgment Filed and Entered on July 11, 2017, and Copies To:**

Daniel M. Ketani (via CM/ECF Notice of Electronic Filing)  
David Lloyd Goldberg (via CM/ECF Notice of Electronic Filing)  
Rebecca Kinlein Lindahl (via CM/ECF Notice of Electronic Filing)  
Robert Zimmerman (via U.S. Mail) 329 Sandpiper Lane, Hampstead, NC 28443

June 26, 2017

PETER A. MOORE, JR., CLERK

/s/ Susan W. Tripp  
(By) Susan W. Tripp, Deputy Clerk